

REMARKS

Reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the following remarks.

The Claims

Claims 4, 5, and 8-15 are pending. Claim 9 is amended. Claims 14-15 are added. Support for Claims 9, 14, and 15 is found in the Tables set forth in the specification. Claim 13 is deemed to contain allowable subject matter.

Objection to the Specification

The matter at page 5 has been deleted.

Sections 102 & 103 Rejection

The invention, claims 4, 5, and 8 - 11, is rejected, as anticipated, over Japanese Publication 11-240970 (Nitto Denko). Applicant traverses this rejection.

Nitto Denko discloses, in Comparative Examples 1 and 2, a shutdown separator made from a blend of HDPE and wax having shutdown temperatures of 128 and 126°C. The instant invention, claims 9, 14, and 15, recites shutdown temperatures of 125, 123, and 120°C, respectively. Accordingly, Nitto Denko does not

anticipate the claimed invention. Therefore, the 102 rejection must be removed.

Claim 12 is rejected as obvious over Nitto Denko. Nitto Denko discloses, in the main, a shutdown separator comprising a blend of polypropylene and wax, no mention of polyethylene. Nitto Denko discloses, in Comparative Examples 1 and 2, a shutdown separator comprising a blend of HDPE and wax, 28% and 7.4% by weight, and shutdown temperatures of 128 and 126°C, respectively. Nitto Denko does not mention the 'breadth of a temperature response.' Instead, the Examiner contends that because of the similarity of Nitto Denko's comparative example 1 to the claimed invention that the 'breadth of a temperature response' must be inherently obvious. But, looking at both of Nitto Denko's Comparative examples, that show decreasing the weight % of wax decreases the shutdown temperature, something is different. The instant invention says that if you want to decrease the shutdown temperature of a separator made of HDPE and wax, one must increase the weight % of wax. Thus, the mere similarity of comparative example 1 cannot inherently disclose the 'breadth of a temperature response,' because Nitto Denko's separator is behaving differently from the claimed invention. Accordingly, Nitto Denko does not suggest claim 12. Therefore, the 103 rejection against claim 12 must be removed.

Conclusion

In view of the foregoing, Applicant respectfully requests an early Notice of Allowance in this application.

Respectfully submitted,



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